

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

RICARDO MARTINEZ,

Plaintiff,

v.

C. PFEIFFER, et al.,

Defendants.

Case No. 1:22-cv-00126-ADA-HBK (PC)

ORDER OF DISMISSAL FOR FAILURE TO
PAY FILING FEE

(ECF No. 13)

Plaintiff Ricardo Martinez is a state prisoner proceeding *pro se* in this civil rights action pursuant to 42 U.S.C. § 1983. On September 7, 2022, the Court entered an order adopting the Findings and Recommendations finding Plaintiff is a three-striker under 28 U.S.C. § 1915(g). (ECF No. 13 at 1-2.) The order further found Plaintiff's complaint did not contain sufficient facts alleging imminent danger of serious physical harm. (*Id.* at 2.) The order directed Plaintiff pay the full filing fee within 30 days, if he wished to proceed with this case, or else the case would be dismissed. (*Id.*) As of the date on this order, Plaintiff has not paid the filing fee and the time to do so has expired. (*See* docket.)

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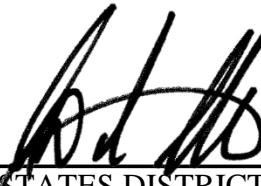
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1 Accordingly, IT IS SO ORDERED:

- 2 1. Pursuant to the September 7, 2022, order (ECF No. 13), this case is DISMISSED
3 without prejudice.
4 2. The Clerk of Court shall terminate any pending motions, enter judgment
5 accordingly, and close this case.

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7 IT IS SO ORDERED.
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9 Dated: December 14, 2022



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UNITED STATES DISTRICT JUDGE